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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.	Applicant(s)
08/988,959	Suresh Jeyachandran et al.
Examiner	**Group Art Unit**
King Y. Poon	2624

☒ Responsive to communication(s) filed on *Sep 11, 2000*

☐ This action is **FINAL.**

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire *3* month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) *1-24, 26-42, 44-49, 51-75, 77-93, 95-100, and 102-106* is/are pending in the applicat

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) *1-24, 26-42, 44-49, 51-75, 77-93, 95-100, and 102-106* is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 19, 70 are rejected under 35 U.S.C. 102(b) as being anticipated by Morgan et al.

Regarding claims 19, 70: Morgan teaches a response apparatus (10 of fig. 1) comprising: status acquisition means (48 of fig. 1) for acquiring a status of a machine (column 16 line 14-16) to be checked; response procedure determination means (event handler of column 16 line 58-69) for determining a response procedure (see appropriate action of column 16 line 69) in accordance with the acquired status of the machine to be checked; response addressee determination means (48 of fig. 1) for determining a response addressee depending upon the acquired status of the machine to be checked; (column 34 line 13-19) response information preparation means (event handler of column 16 line 58-69) for preparing response information in accordance with the determined response procedure; and response information output means (138 of fig. 4) for outputting the prepared response information to the determined response addressee in accordance with the determined response procedure. (See column 7 line 45-50)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 104 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al.

Regarding claims 104: Morgan discloses a print server (see fig. 1) to store a program to control the server (computer) to perform the function as discussed in claim 19. (note: it is well known in the art that a computer is controlled by a program stored in a computer readable medium)

At the time of invention, it would have been obvious to one of ordinary skill in the art to have modified the printer server of Morgan by using a computer readable medium to store the program code for Morgan's print server, as taught by well-known prior art. The suggestion of doing so can be reasoned by one of ordinary skill in the art because A ROM is highly reliable and would have provided optimal performance for program execution for the program of the printer server. Therefore, it would have been obvious to use a well-known method of using a ROM (computer readable memory) for storing the control code for the print server of Morgan.

5. Claims 1-17, 20, 23, 24, 27, 32-37, 52-68, 71, 74, 75, 78, 83-88, 103 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al. and Mandel et al. (5358238)

Regarding claims 1, 52: Morgan teaches that the response apparatus further comprising: response message determination means (event handler of column 16 line 58-69) for determining a response message in accordance with the acquired status, (column 7 line 45-50), and the response information preparation means prepares the response information for a response medium (see display medium of column 7 line 45-50) to display the message

Morgan does not teach that the displayed message is in text form and is generated by combining the determined response message with an opening phase or closing phase that is a characteristic of the display medium.

However, Mandel, in the same area of conveying status messages of a printer to a user, teaches to generate a display message in text form by combining the message that the printer is out of paper with an opening text phase (see the text phase "the printer is out of paper" of column 28 line 5) that is a characteristic of the display medium. (Displaying text messages is a characteristic of the display medium)

At the time of invention, it would have been obvious to one of ordinary skill in the art to have modified the response information conveying method of Morgan by generating the displayed status message in text form by having the response information preparation means of Morgan to combine the determined response message with an opening phase or closing phase that is a characteristic of the display (response) medium, as taught by Mandel. The suggestion of doing so can be reasoned by one of ordinary skill in the art because by displaying a text message would indicate the details of the status of the network resource to a user. Providing detail status

information of network resources is desirable because it would help a user to select the best available resources to perform a job.

Regarding claims 2, 53: Morgan teaches that the response information preparation means prepares the response information in a display form corresponding to a display medium at a response addressee. (See column 7 line 45-50, column 34 line 10-20)

Regarding claims 3, 54: Morgan teaches that the determination means in the print server would have to determine (define) an appropriate response message (response content) to be displayed in a user's console. (See column 7 line 45-50) Morgan further teaches to use a status collector (column 20 line 45-55) to store all definition of the status (response content) in the system.

Regarding claims 4, 55: Morgan teaches that the status acquired (see status blocks 78 of column 12 line 19) indicates there are a plurality of statuses that occur at the same time. (See column 12 line 15-51)

Regarding claims 5, 56: Morgan teaches that the response content preparation means includes response content information preparation data storage means (see controller of column 12 line 45-51, note it is well known in the art that a controller is controlled by a program stored in a computer readable medium) for storing fixed information for each portion of a content that is prepared, and employs the fixed information to prepare a response content. (See column 12 line 45-51)

Regarding claims 6, 57: Morgan teaches that the response content preparation means includes response content preparation rule storage means (see controller of column 12 line 45-51, note it is well known in the art that a controller is controlled by a program stored in a computer readable medium) for a response content preparation rule, and employs the content preparation rule to prepare a response content. (See column 12 line 45-51)

Regarding claims 7, 58: As previous discussed (claim 1), Morgan and Mandel teach that the response is prepared in text form by using a sentence prepared in the response information preparation means. (Text preparation means, additional sentence preparation means)

Regarding claims 8, 16, 59, 67: Mendel teaches that the response information is outputted in electronic voice mail form. (See column 28 line 1-17)

At the time of invention, it would have been obvious to one of ordinary skill in the art to use an electronic voice mail response for Morgan's status report method, as taught by Mandel. The suggestion of using an electronic mail response method is desirable because electronic mail is a common feature in a network environment. It would save money for a user to use an existing feature when compare to implementing new ways of communication. Moreover, a voice mail system would be benefited for a blind user.

Regarding claims 9, 60: Mendel teaches that the response information output means (addition means) adds an electronic mail header (see code number of column 28 line 1-20) to response information.

Regarding claims 10, 11, 17, 61, 62, 68: Mendel teaches that the output means outputs response information to a telephone. (See column 28 line 10-17) It is well known in the art that a telephone is portable and most cellular phone would be able to put into a user's pocket. (Pocket bell)

Regarding claims 12-14, 63-65 : Morgan teaches to transmit printer status to other components in an LAN. (See fig. 1 and column 3 line 15-25) In fig. 1, Morgan shows that other components include a database management system (#53) and a file management system. (#24)

Regarding claims 15, 66: Morgan discloses an LAN (see fig. 1 and column 33 line 38) It is well known in the art that an LAN can be added onto Internet and in the Internet, a home page could be used to transmit information (printer status). It would have been obvious for one of ordinary skill in the art to connect the LAN onto Internet and use a home page for status information because it would have allowed a user travels to a far away area and still be able to use and monitor the printer system and it would be desirable for the user.

Regarding to claims 20, 71: Morgan teaches that the status collector would have to select a response procedure in sending status to a file server (# 24 of fig. 1) from a plurality of available procedures. The available procedures include procedures of sending status to a resource, a file server, (#26 of fig. 1), and a printing client. (#18a of fig. 1)

Regarding claims 23, 74: In sending status information, the response procedure determination would have to know what status (content) is to be sent. (See column 7 line 43-50 of Morgan)

Regarding to claims 24, 75: Morgan teaches that the response procedure determination means designates a response medium. (See appropriate messages of column 7 line 47)

Regarding claims 27, 78: Morgan teaches to send status information to a file server and to a service manager. (See fig. 1) It would have been obvious that the service manager and the file server speak different language because a file server is a computer and would only understand binary code while a service manger would speak English.

Regarding claims 32, 83: Morgan teaches that the determination means in the print server would have to determine (define) an appropriate response message (response content) to be displayed in a user's console. (See column 7 line 45-50) Morgan further teaches to use a status collector (column 20 line 45-55) to store all definition of the status (response content) in the system.

Regarding claims 33, 34, 35, 36, 84, 85, 86, 87: Applicant admits that fig. 3 of this application is prior art. In figure 3 of this application, the status data "state 0" indicates a single status and status data " state 0, state 1" indicates a plurality of status. The status information " copy paper out "would change with time and other status such as ink is low would happen at the same time with the printer being out of paper.

Regarding claims 37, 88: Morgan teaches that the response apparatus further comprising response procedure designation means (controller 40 of column 12 line 45-51) for designating a response procedure for each status (see appropriate messages), wherein, in consonance with the

acquired status, the response procedure selection means selects a response procedure (appropriate message of column 7 line 45-50) designated by the response procedure designation means.

Regarding claims 103: Morgan discloses a print server (see fig. 1) to store a program to control the server (computer) to perform the function as discussed in claim 1. (note: it is well known in the art that a computer is controlled by a program stored in a computer readable medium)

6. Claims 18, 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al. and Mandel et al. as applied to claim 1 and in further view of Wernikoff et al.

Regarding claims 18, 69: Morgan has disclosed all of the claims limitations except showing the use of a facsimile machine to transmit status information.

Wernikoff teaches to use a phone and a facsimile machine to send status information. (See column 12 line 1-25 abstract and column 3 line 40-45) Morgan, Mendel, and Wernikoff are combinable because they are from the same area of sending status information.

At the time of invention, it would have been obvious to one of ordinary skill in the art to a facsimile machine to send status data in Morgan's status output apparatus. The suggestion of using a facsimile machine to send status data in Morgan's invention would have allowed Morgan to transmit status information in case of electronic mail malfunction and status report cannot be transmitted by electronic mail. Moreover, a facsimile machine is a widely used machine for transmitting data. Using a facsimile machine to transmit status would have provided Morgan's system a convenient and reliable way to ensure status information would reach most users.

7. Claims 21, 22, 26, 28-31, 38-42 44-49, 51, 72, 73, 77, 79-82, 89-93, 95-100, 102, 105 and 106 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morgan et al. in view of Hayashi et al.

Regarding claims 21, 22, 26, 29, 72, 73, 77, 80: Morgan has disclosed all of the claims limitations except showing the determination a response procedure in consonance with the degree of importance of the status, and whether the response is to be sent out right the way depending on a condition that the status is important or to be sent out at a later time.

Hayashi teaches to determine the importance of a status (see column 30 line 21-25) and according to the importance of the status, determine to send a response right the way or at a later time. Morgan, Mendel, and Hayashi are combinable because they are in the same area of sending status information.

At the time of invention, it would have been obvious to one of ordinary skill in the art to allow Morgan's response procedure determination mean to determine the importance of a status and according to the importance of the status, determine to send a response right the way or at a later time. The suggestion of allowing Morgan's response procedure determination mean to determine the importance of a status and according to the importance of the status, determine to send a response right the way or at a later time would have allowed Morgan to send status information at a time that the network is not busy and reduce traffic in peak time. (See column 30 line 25-35, Hayashi) Reducing traffic in peak time would have benefited the system because it would have speed up data transmission time during peak time.

Regarding claims 28, 79: Morgan has disclosed all of the claim limitations except showing the determination a degree of detail in an explanation.

Hayashi teaches to determination whether to send an "error" message or a more detail massage such as "service man call". (see column 30 line 1-3) Morgan and Hayashi are combinable because they are in the same area of sending status information.

At the time of invention, it would have been obvious to one of ordinary skill in the art to allow Morgan's response procedure determination mean to determine a degree of detail in an explanation, as taught by Hayashi. The suggestion of allowing Morgan's response procedure determination mean to determine a degree of detail in an explanation would have allowed Morgan to send less information while the system would require less detail explanation of the status and thereby, increase system efficiency.

Regarding claims 30, 31, 81, 82: Morgan has disclosed all of the claims limitations except showing the determination of a re-response procedure.

Hayashi teaches to determine a re-response procedure (See fig. 52) by continuously requesting communication between the control device and a copier. Morgan and Hayashi are combinable because they are in the same area of sending status information.

At the time of invention, it would have been obvious to one of ordinary skill in the art to have allowed Morgan's response procedure determination mean to determine a re-response procedure by continuously requesting communication between the server and a client, as taught by Hayashi. The suggestion of allowing Morgan's response procedure determination mean to

continuously requesting communication between the server and the client would have allowed Morgan to send status information at a time when the system is not busy and would ensure the transfer of important status to a destination.

Note: In fig. 52, the longer the human flag is set, the larger the number of re-response there is.

Regarding claims 38, 39, 89, 90: Morgan and Mendel have disclosed all of the claims limitations (see discussion of claim 19) except disclosing a response result determination mean and a re-response control mean.

Hayashi teaches to determine whether a response has failed (fig. 52 The human body set is an indication of failed response) and to determine to re-response procedure (The return in fig. 52 is an indication of re-response) by continuously requesting communication between a copier and a control device. Morgan and Hayashi are combinable because they are in the same area of sending status information.

At the time of invention, it would have been obvious to one of ordinary skill in the art to provide a response result determination mean to determine whether a or not a response has failed and a re-response control mean continuously requesting communication between a client and the server for Morgan's response apparatus, as taught by Hayashi. The suggestion of providing a response result determination mean and a re-response control mean for Morgan's response apparatus would have allowed Morgan to detect the result of response and to re-response if the response has failed and would ensure that important status would reach the destination.

Note: the response procedure is different from the re-response procedure because the response procedure would not loop back to the top of the program (see fig. 52 of Hayashi) while the re-response procedure would.

Regarding claims 44, 45, 95, 96: Morgan, Mendel, and Hayashi have disclosed all of the claim limitations as recited in claim 19, 1, 2, and 38. Hayashi further teaches to use a response addressee status acquisition means (see program of fig. 52, column 27 line 30-41) to acquire a status of the copier (addressee of a communication that the control device initiated) such that the determination means in the control device would determine whether information would be successfully passed between the control device and the copier.

At the time of invention, it would have been obvious to one of ordinary skill in the art to provide a response address acquisition means for the response apparatus of Morgan to acquire status information of the response addressee, as taught by Hayashi. The suggestion of doing so would have allowed the response system of Morgan to know when to transmit the response to the response addressee and thereby preventing status information being transmitted while the response addressee is not ready to receive the status information and thereby, conserve network communication bandwidth.

Note: Morgan teaches that the addressee is a person. (Column 7 line 40-50) When the addressee's computer is not read to receive the response, the person located in the addresse is not ready to manage the response because he would have no response to manage.

Regarding claims 40, 46, 91, 97: Morgan teaches that the response procedure includes a plurality of procedures such as the procedure of sending response to a file server and a procedure of sending response to a service manager. (See fig. 1, column 8 line 19-25)

Regarding claims 41, 47, 49, 92, 98, 100: Hayashi teaches to use a reply (status) to send back to the response party (See received results of communication of fig. 74) so that the response party would determine whether a response has failed.

Regarding claims 42, 48, 93, 99: Hayashi teaches that response failure would be indicated when a predetermined time has elapsed. (See timer>3min in fig. 74)

Regarding claims 51, 102: It would have been obvious that the determination mean would have to determine what to transfer before it could transfer or otherwise, what it transfer would not have made senses to the receiving party.

Regarding claims 105 and 106: Morgan discloses a print server (see fig. 1) to store a program as discussed in claims 89, 95. (note: it is well known in the art that a computer is controlled by a program stored in a computer readable medium)

REMARKS

8. With respect to applicant's argument on page 14 that Morgan does not teach the determination of a response addressee upon an acquired status of a machine to be checked, has been considered.

In reply, column 34 line 13-20 teaches the determination of a response addressee (destination) upon an acquired status of a machine (printer) to be check.

With respect to applicant's argument on page 15, 16 that Hayashi and Morgan do not teach the response control means that permit the determination of a re-response procedure that is different from the response procedure that led to the failed response, has been considered.

In reply, Fig. 52 of Hayashi teach that the response procedure is different from the re-response procedure because the response procedure would not loop back to the top of the program while the re-response procedure would.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is (703) 305-0892 or to Supervisor Mr. David Moore whose phone number is (703) 308-7452.

January 15, 2001

DAVID MOORE
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